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2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

4 United States of America,

Case No.: 2:24-cr-00092-CDS-MDC

5 Plaintiff

**Order Denying Stipulations  
to Continue Trial**

6 v.

7 Eliseo Duran,

[ECF Nos. 12, 14, 15]

8 Defendant  
9

10 Defendant Eliseo Duran was arraigned on the indictment on May 10, 2024, at which time  
11 trial was set for July 15, 2024. *See* Min. of Proceedings, ECF No. 7. On June 7, 2024, the parties  
12 filed their first stipulation to continue the trial date, to begin no sooner than sixty days past July  
13 15. ECF No. 12.<sup>1</sup> The stipulation states that Duran “agrees to the continuance,” which is sought  
14 “to explore a pretrial resolution.” *Id* at 1. However, the stipulation and accompanying proposed  
15 order submitted by the parties does not discuss the Speedy Trial Act, which establishes that  
16 trial must commence within 70 days from the date the indictment was filed or from the date the  
17 defendant appears before the court. Speedy Trial Act, Title 18, U.S.C. § 3161(c)(1).

18 The Speedy Trial Act also includes an ends of justice provision, allowing for the  
19 exclusion of time where a district court finds “that the ends of justice served by taking such  
20 action outweigh the best interest of the public and the defendant in a speedy trial.” 18 U.S.C. §  
21 3161(h)(7)(A). In determining whether “the ends of justice outweigh the best interest of the  
22 public and the defendant in a speedy trial[,]” the district court must evaluate, among others,  
23 several enumerated factors. *Id.* at (h)(7)(B)(i)–(iv).

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<sup>1</sup> Duran subsequently filed the same stipulation and proposed order. ECF Nos. 14, 15.

1 Because the stipulation fails to cite or discuss any of the speedy trial factors, it fails to  
2 provide any basis to exclude time under the provisions of the Act. Consequently, I cannot find  
3 good cause to grant their request to continue. Therefore, the first stipulation to continue trial  
4 [ECF Nos. 12, 14, 15] are DENIED without prejudice.

5 Dated: June 17, 2024

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8 Cristina D. Silva  
9 United States District Judge  
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